

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,
Plaintiff,

vs.

MAX ROOKSTOOL,
Defendant.

CASE NO: **4:20CR3117**

DETENTION ORDER

On the government's motion, the court afforded the defendant an opportunity for a detention hearing under the Bail Reform Act, 18 U.S.C. § 3142(f) in the associated Case No. 4:20CR3089. The court concludes the defendant must be detained.

Based on the information of record, the court finds by clear and convincing evidence that the defendant's release would pose a risk of harm to the public. Defendant is charged with and has admitted to receipt and distribution of child pornography, and there is evidence that he continued to commit sex exploitation crimes using the internet while on state bond. Defendant has mental health issues which may pose a risk of harm or impede Defendant's ability to comply with court-ordered conditions if he is released. Defendant presented no evidence opposing detention.¹

The court finds that conditions which restrict Defendant's travel, personal contacts, and possession of drugs, alcohol, and/or firearms; require reporting, education, employment, or treatment; or monitor Defendant's movements or conduct; or any combination of these conditions or others currently proposed or available (see 18 U.S.C. § 3142(c)), will not sufficiently ameliorate the risks posed if the defendant is released.

¹The entry of this order does not supersede or impact Filing No. 14, the temporary release order. That order remains in full effect.

Directions Regarding Detention

The defendant is committed to the custody of the Attorney General or a designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or held in custody pending appeal. The defendant must be afforded a reasonable opportunity to consult privately with defense counsel. On order of the United States Court or on request of an attorney for the Government, the person in charge of the corrections facility must deliver the defendant to the United States marshal for a court appearance.

Dated November 24, 2020.

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge